

OLC 79-1431/2
23 August 1979

MEMORANDUM FOR: James H. McDonald
Director of Logistics

FROM :
Assistant Legislative Counsel

SUBJECT : Parking

STAT

1. I am addressing this memorandum to your attention in an effort to keep you fully and currently informed of legislative developments regarding the above-captioned subject.

2. I recently made contact with the staffer in Senator Percy's office who is handling the Senator's parking initiative, S. 930 (reference: OLC 79-1431/1, 17 August 1971). In response to my question concerning the prospects and timetable for action on the bill, the staffer stated the following:

--S. 930 will be marked-up in full Committee toward the end of September;

--While no official nose count has yet been taken of Committee members, the staffer expressed confidence in seeing the bill reported by the full Committee immediately after mark-up; and,

--What might happen on the Senate floor is anybody's guess, according to the staffer.

3. The timetable discussed above is critical to our concerns since, according to the latest OMB Circular No. A-118, dated 13 August 1979, GSA will issue final regulations by 1 October with final agency regulations due to be issued by 1 November 1979. Even if the bill is reported at the end of September by the full Committee, it will still have to be given Senate floor consideration and subsequently referred to the House for subcommittee/committee/floor and possible conference action. It is inconceivable that S. 930 would be steered through the legislative process--both Senate and House side--before 1 November or before the 96th Congress' 1st Session adjournment,

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whichever comes first. Ultimate legislative success of S. 930 is, of course, always up in the air, as it is with any piece of legislation. S. 930 would be placed in an even more precarious position should Executive Branch final regulations be promulgated since to a certain extent the latter moot the former.

4. As I read the 13 August OMB Circular, Agency equities, in particular cover and security considerations, have not been taken into account. Such arguments were persuasive enough to generate Mr. Percy's "Amendment in the Nature of a Substitute" to S. 930, and in the opinion of the undersigned, should be once again aired with appropriate OMB officials in accordance with OMB's invitation for further Executive Branch comment. I've spoken with [redacted] of your staff with regard to the above and indicated that it might be appropriate at this stage to regroup in an effort to determine what our next step should be.

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